



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

DANIEL J. SWIRSKY  
55 REUVEN  
BEIT SHEMESH  
99544  
ISRAEL

AIR MAIL

**COPY MAILED**  
**MAR 17 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Gabriel Ilan et al :  
Application No. 09/674,710 : DECISION ON PETITION  
Filed: January 29, 2000 : UNDER 37 CFR 1.313(c)(2)  
Attorney Docket No. P-1653-US :  
:

This is a decision on the petition under 37 CFR 1.313(c), filed March 16, 2006, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **DISMISSED**.

37 CFR 1.313(c) provides that:

Once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except:

(1) Unpatentability of one or more claims, which petition must be accompanied by an unequivocal statement that one or more claims are unpatentable, an amendment to such claim or claims, and an explanation as to how the amendment causes such claim or claims to be patentable;

(2) Consideration of a request for continued examination in compliance with 37 CFR 1.114; or

(3) Express abandonment of the application. Such express abandonment may be in favor of a continuing application.

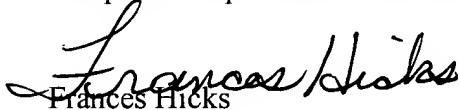
See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865, 14873 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47, 54 (Apr. 11, 2000).

Upon payment of the issue fee, an application will not be withdrawn from issue upon petition except for the reasons enumerated in 37 CFR 1.313(c). The circumstances of the above-identified application do not fall within any of those exceptions. In this regard, while petitioner has submitted a Request for Continued Examination, the submission required by 37 CFR 1.114 has not been received. Although petitioner indicates that an Information Disclosure Statement will be filed in due course, this is insufficient to fulfill the requirements of 37 CFR 1.114.

Petitioner should at least complete the IDS form listing the references he wishes to have the Examiner consider.

In view of the above, the petition cannot be granted at this time. Petitioner should file a renewed petition under 37 CFR 1.313(c)(2), along with a completed IDS form listing the references to be considered. Petitioner is advised that this application is scheduled to issue on April 4, 2006. If a grantable renewed petition and submission are not received prior to the issue date, this application will proceed to issue on April 4, 2006.

Telephone inquiries should be directed to the undersigned at (571) 272-3218.



Frances Hicks  
Office of Petitions  
Office of Petitions